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MAY 18 2015

**LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE**

May 13, 2015

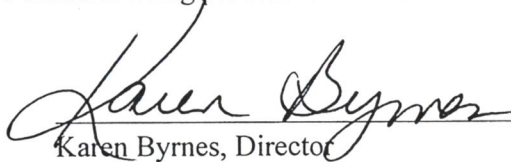
Michael Wherley, PE, CTEP Supervisor
Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

Subject: Categorical Exclusion Group (c) Action Letter

Reference: Federal-aid Project Number: STPE 1899 (15)
 Federal-aid Project Name: At-Grade Crossing – Butte
 MDT Uniform Project Number: 4759

This is a request for the Montana Department of Transportation concurrence that the proposed project study will not involve unusual circumstances as described in *23 CFR 771.117(b)*. It therefore qualifies as a Categorical Exclusion under the provisions of *23 CFR 771.117(c), parts 3 and 15*. The proposed action also qualifies as a Categorical Exclusion under the provisions of ARM 18.2.261 (*MCA Sections 75-1-103 and 75-1-201*).

In accordance with FHWA's letter (3/29/99) to MDT's Environmental Services, please notify FHWA that the proposed action is being processed in accordance with *23 CFR 771.117(c)*.



Karen Byrnes, Director

Concur: _____

Environmental Engineering Section Supervisor

Date

Cc: Jeff Ebert, MDT, Butte District Administrator
 Ryan Dahlke, MDT, Consultant Design Engineer
 Tom Martin, MDT, Bureau Chief – Environmental Services Bureau
 Lisa Hurley, MDT, Fiscal Planning Administrator
 Legislature, EQC
 Jeff Patten, FHWA – Helena
 Tom Erving, MDT, Fiscal Planning
 Heidy Bruner, MDT, Environmental Engineering Section, Supervisor
 Barry Brosten, MDT, Environmental Engineering Section – Butte District
 Jon Sesso, BSB Planning Director
 Lori Casey, BSB Assistant Planning Director
 Nick Sandford, BSB Road Department Engineer



BUTTE-SILVER BOW
OFFICE OF THE CHIEF EXECUTIVE

Courthouse, 155 W. Granite Street, Suite 106
Butte, Montana 59701-9256

May 13, 2015

Michael Wherley, PE, CTEP Supervisor
Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

Subject: **Designation of Environmental Certifying Official**

Reference: Federal-aid Project Number: STPE 1899 (15)
Federal-aid Project Name: At-Grade Crossing – Butte
MDT Uniform Project Number: 4759

This is to notify you that Karen Byrnes, Director, Office of Community Development, Butte-Silver Bow Local Government, is designated by Council Resolution No. 04-34, as the Environmental Certifying Official responsible for all activities associated with the environmental review process to be completed in conjunction with the development of the approved transportation project referenced.

Matt Vincent, Butte-Silver Bow County Chief Executive

ENVIRONMENTAL CHECKLIST

Project Name and Project Number: At-Grade Crossing-Butte - STPE 1899 (15)

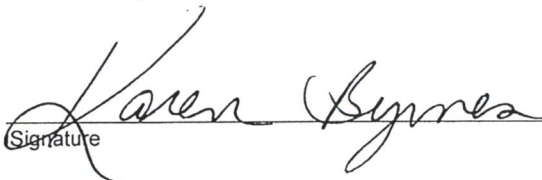
UPN: 4759

Area of Statutory-Regulatory Compliance (Provide precise citations for applicable statutes and regulations at the end of this Checklist.)		N/A	Review Required*	Permits Required*	Conditions and/or Mitigation Actions Required*	Note and Attach Documentation
1.	Historic Properties (SHPO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	Floodplain Management (County)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	Wetlands Protection (COE)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.	Noise (DEQ)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.	Air Quality (DEQ)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.	Manmade Hazards					
	Abandoned Underground Storage Tanks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Leaking Underground Storage Tanks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Possible Hazardous Waste Sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Airport Clear Zones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	Water Quality (DEQ or EPA for reservation projects)					
	Surface Water/Water Quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Groundwater & Aquifers ¹	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	Farmlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	Environmental Justice	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.	Threatened or Endangered Species, Fish & Wildlife (USF&WS)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Area of Statutory-Regulatory Compliance (Provide precise citations for applicable statutes and regulations at the end of this Checklist.)		N/A	Review Required*	Permits Required*	Conditions and/or Mitigation Actions Required*	Note and Attach Documentation
11.	Biological Resources- Habitat containing sensitive species; either nesting, foraging, or inhabiting (MDFW&P/MSL)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12.	Is there substantial, local, regional or other controversy on environmental grounds?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.	Section 4(f) – Would project change use of park, recreation area, wildlife refuge, or waterfowl refuge (23 CFR 771.135)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.	Section 6(f) – Would project change use of protected properties acquired or developed with Land and Water Conservation Funds administered by the Department of Fish, Wildlife and Parks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15.	List other agencies contacted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Attach evidence that required actions have been taken.						
¹ Including the Missoula Sole Source Aquifer; contact the CTEP Section for further information regarding Missoula area projects.						

Certification

I certify that the findings on the proceeding Environmental Checklist accurately reflect the status of compliance with applicable laws and regulations for the proposed transportation project.


Signature

Karen Byrnes, Director of Community Development, Butte-Silver Bow Local Government

Type Name and Title of Environmental Certifying Official

5-5-15

Date